

New Paid Pregnancy Disability Leave for Public School and Community College District Employees

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Starting January 1, 2027, employees of school districts, county offices of education, charter schools, educational joint powers authorities, and community college districts (CCD) will have access to fully paid pregnancy disability leave for up to 14 weeks in addition to existing leaves for related purposes.

In July of 2026, Governor Gavin Newsom signed Assembly Bill (AB) 126, the TK-12 omnibus budget trailer bill, and Senate Bill (SB) 135, the higher education omnibus budget trailer bill, to add parallel Education Code sections governing pregnancy disability leave for classified and certificated TK-12 employees and classified and academic CCD employees.

Current law provides for up four months of job-protected leave for employees disabled by pregnancy, childbirth, or related conditions. Under the Education Code, employees can use available fully paid sick leave during this time and may also use partially paid extended illness leave once sick leave is exhausted. AB 126 and SB 135 significantly expand paid pregnancy disability leave rights for these employees and impose new requirements upon the subject employers.

Under AB 126 and SB 135, public school employers and CCDs, respectively, must provide qualifying employees with up to 14 weeks of paid leave when the employee must be absent due to pregnancy, miscarriage, childbirth, termination of pregnancy, or recovery from any of these conditions. There are no eligibility requirements for this leave beyond being disabled by pregnancy or a related condition, as specified.

The “public school employers” subject to AB 126 include school districts, county offices of education, charter schools, and educational joint powers authorities. However, for public school employers, temporary and substitute employees are not entitled to this new leave.

Full-time employees are entitled to “full pay.” Part-time employees are entitled to prorated pay based on their work hours as set forth in the applicable statute, which considers whether the employee works fixed hours and how long they have been employed.

Employees may begin taking this leave before childbirth, and may continue taking leave after childbirth as well, so long as they are disabled for a qualifying reason. While on leave, public school employers and CCDs must maintain the employee’s group health coverage as though the employee never took the

leave. The employee also continues to accrue service credit and contributions to the applicable retirement pension plan, CalSTRS or CalPERS, during leave. Notably, this leave does not run concurrently with any other paid leave entitlements, including but not limited to vacation, accrued sick leave, extended illness leave, or any other compensated leave. This can include employees' entitlement to an additional period of up to 12 weeks for baby-bonding/parental leave at partial pay under the Education Code.

Takeaways

AB 126 and SB 135 significantly expand TK-12 and CCD employees' rights to pregnancy disability leave. Starting January 1, 2027, qualifying employees will be entitled to paid pregnancy-related disability leave that is separate from any other statutory leaves that may be available for the same pregnancy or pregnancy-related condition. Public school and CCD employers will have to review and revise their leave policies and practices accordingly. Public school and CCD employers should also review their collective bargaining agreements and be prepared to negotiate the impacts and effects of this legislation.

If you have any questions about the new entitlement to paid pregnancy disability leave, or any other labor and employment questions, please contact the authors of this Client News Brief or an attorney at one of our [eight offices](#) located statewide. You can also subscribe to our [podcast](#), follow us on [Facebook](#) and [LinkedIn](#), or download our [mobile app](#).

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